

# COMMON COUNCIL MEETING AGENDA

MONDAY, DECEMBER 3, 2012 – 6:00 P.M.  
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

## **MEMBERS PRESENT:**

Council President Richard L. Sharp, Council Members Carol Schleif, W. Eric Seidensticker, Sue Finkam, Luci Snyder, Ronald E. Carter, Kevin D. Rider, Clerk-Treasurer Diana L. Cordray and Deputy Clerk Treasurer Lois Fine.

Mayor James Brainard was not in attendance.

Council President Sharp called the meeting to order at 6:00 p.m.

Pastor Sam Howard, the Gathering of Carmel, pronounced the Invocation.

Councilor Seidensticker led the Pledge of Allegiance.

## **RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:**

There were none.

## **APPROVAL OF MINUTES:**

Councilor Seidensticker made a motion to approve minutes from the November 19, 2012 Regular Meeting. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. Minutes were approved 7-0.

## **RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:**

*Bill Hammer and Jeff Worrell* addressed the Council regarding the Carmel Redevelopment Commission refinance (\$195,000,000).

## **COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:**

Councilor Snyder addressed the Council regarding the Hamilton County Humane Society.

Councilor Carter addressed the Council regarding the noise at Detour's restaurant located in downtown Carmel. Councilor Carter also addressed the Council regarding the Carmel Redevelopment Commission.

Council President Sharp addressed the Council and Councilor Carter's remarks regarding the Carmel Redevelopment Commission.

## **ACTION ON MAYORAL VETOES:**

There were none.

## **CLAIMS:**

Councilor Seidensticker made a motion to remove the claim for the Booth Tarkington Civic Theatre, on page 24, in the amount of \$190,000. Councilor Schleif seconded. There was brief Council discussion. Council President Sharp called for the vote. Claims in the new amount (previous amount \$2,124,365.37) of \$1,934,365.37 were approved 7-0.

## **COMMITTEE REPORTS:**

Councilor Snyder reported that the Finance, Administration and Rules Committee had not met. The next meeting will be held on Thursday, December 20, 2012 at 5:30 p.m.

Councilor Seidensticker reported that the Land Use, Annexation and Economic Development Committee had met and discussed Ordinance Z-563-12, Ordinance Z-564-12, Ordinance Z-565-12, Ordinance Z-566-12, Ordinance Z-567-12 and Ordinance Z-568-12 which were forwarded to the Council with a favorable recommendation. The Committee also discussed Ordinance Z-569-12 which was forwarded to the Council with proposed amendments. The Committee report will be given when the item appears on the agenda.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Councilor Rider reported that the Utilities, Transportation and Public Safety Committee had not met. The next meeting will be held on Monday, December 10, 2012 at 5:30 p.m.

Report from the Council Appointee to the Redevelopment Commission. No report was given.

## **OLD BUSINESS**

Council President Sharp announced the **Thirteenth Reading of Ordinance D-2092-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Approving and Adopting an Interlocal Agreement (*Between the City of Carmel and the Indiana Department of Transportation Pertaining to a Landscape Maintenance Agreement*); Sponsor: Councilor Rider. Remains in the Utilities, Transportation and Public Safety Committee (12/10/12). This item was not discussed.

Council President Sharp announced the **Third Reading of Ordinance D-2111-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Certain Parking Regulations to Address New Parking Issues ( 8-29 - *One-Way Streets and Alleys*; 8-37 *Fifteen-Minute Loading Zones*; 8-47 – *No Parking Areas*; 8-48 – *Limited Parking Areas*; 8-49 – *Thirty Minute Parking*; 8-52 – *Four Hour Parking Near Palladium*); Sponsor(s): Councilor(s) Carter and Seidensticker. Remains in the Utilities, Transportation and Public Safety Committee (12/10/12). This item was not discussed.

Council President Sharp announced **Resolution CC-09-17-12-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Amending the Carmel Clay Comprehensive Plan “C3 Plan 2009” Regarding the Transportation Plan; Sponsor: Councilor Rider. Remains in the Land Use, Annexation and Economic Development Committee. This item was not discussed.

Council President Sharp announced **Resolution CC-12-03-12-02 (Formerly CC-11-19-12-01)**; A Resolution of the Common Council of the City of Carmel, Indiana, Authorizing the Investment of Certificates of Deposit and Quotes from Depositories in Accordance with IC 5-13-9-5 and IC 5-13-9-5.3. Council President Sharp lifted this item from the Finance, Administration and Rules Committee and referred to Clerk-Treasurer Diana L. Cordray to address the Council. There was brief Council discussion. Councilor Snyder made a motion to approve Resolution CC-12-03-12-02. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. **Resolution CC-12-03-12-02** was adopted 7-0.

Council President Sharp announced the **Third Reading of Ordinance Z-563-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Rezoning Properties in the Old Town Area from the B-1/Business, B-3/Business and B-5/Business District Classification within the Old Town District Overlay Zone, Character Sub-Area to the R-3/Residence and R-4/Residence Classifications within the Old Town District Overlay Zone, Character Sub-Area. Councilor Seidensticker presented the Land Use, Annexation and Economic Development Committee report to the Council and made a motion to approve Ordinance Z-563-12. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. **Ordinance Z-563-12** was adopted 7-0.

Council President Sharp announced the **Third Reading of Ordinance Z-564-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Rezoning 120 1<sup>st</sup> Avenue NE (Lot 31, D Wilkinson's Addition) from the B-1/Business District Classification within the Old Town District Overlay Zone, Character Sub-Area to the B-5/Business District Classification within the Old Town District Overlay Zone, Character Sub-Area. Councilor Seidensticker presented the Land Use, Annexation and Economic Development Committee report to the Council and made a motion to approve Ordinance Z-564-12. Councilor Finkam seconded. There was no Council discussion. Council President Sharp called for the vote. **Ordinance Z-564-12** was adopted 7-0.

Council President Sharp announced the **Third Reading of Ordinance Z-565-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Rezoning 32 1<sup>st</sup> Avenue NE (Lot 32, D Wilkinson's Addition) from the B-1/Business District Classification within the Old Town District Overlay Zone, Character Sub-Area to the B-5/Business District Classification within the Old Town District Overlay Zone, Character Sub-Area. Councilor Seidensticker presented the Land Use, Annexation and Economic Development Committee report to the Council. Councilor Rider made a motion to approve Ordinance Z-565-12. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. **Ordinance Z-565-12** was adopted 7-0.

Council President Sharp announced the **Third Reading of Ordinance Z-566-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Rezoning 140 1<sup>st</sup> Street NE (Lot 7 - South Part, Carey Addition) from the B-1/Business District Classification within the Old Town District Overlay Zone, Character Sub-Area to the B-5/Business District Classification within the Old Town District Overlay Zone, Character Sub-Area. Councilor Seidensticker presented the Land Use, Annexation and Economic Development Committee report to the Council and made a motion to approve Ordinance Z-566-12. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. **Ordinance Z-566-12** was adopted 7-0.

Council President Sharp announced the **Third Reading of Ordinance Z-567-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Rezoning 105 1<sup>st</sup> Street NE (Lot 9 – West Part, Carey Addition) from the B-1/Business District Classification within the Old Town District Overlay Zone, Character Sub-Area to the B-5/Business District Classification within the Old town District Overlay

Zone, Character Sub-Area. Councilor Seidensticker presented the Land Use, Annexation and Economic Development Committee report to the Council and made a motion to approve Ordinance Z-567-12. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. **Ordinance Z-567-12** was adopted 7-0.

Council President Sharp announced the **Second Reading of Ordinance Z-568-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Rezoning the Hunter/Pullins' Buffering Lot, Purchased from the Aramore PUD, from PUD back to its Original Zoning of S-2/Residential, which Matches the Current Zoning of the Adjourning Hunter/Pullins' Property. Councilor Seidensticker presented the Land Use, Annexation and Economic Development Committee report to the Council and made a motion to approve Ordinance Z-568-12. Councilor Rider seconded. There was no Council discussion. Council President Sharp called for the vote. **Ordinance Z-568-12** was adopted 7-0.

Council President Sharp announced the **Third Reading of Ordinance Z-569-12**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Aramore Planned Unit Development District. Councilor Seidensticker presented the Land Use, Annexation and Economic Development Committee report to the Council. This item was referred back to the Council with a positive recommendation. Councilor Seidensticker presented Ordinance Z-569-12 As Amended VERSION A – 11/27/12 to the Council for discussion. Councilor Seidensticker made a motion to amend Ordinance Z-569-12 by inserting on page 6, line 272; *However, in terms of modifying any quantitative or dimensional requirement, such modification may not be greater than ten percent (10%) in aggregate. Cumulatively, quantitative or dimensional modifications greater than ten percent (10%) must be approved by the Council.* Councilor Schleif seconded. Councilor Seidensticker made a motion to amend the amendment by adding a new Exhibit M to Ordinance Z-569-12. Councilor Rider seconded. There was no Council discussion. Council President Sharp called for the vote. The motion to amend the amendment to Ordinance Z-569-12 was approved 7-0. Councilor Seidensticker made a motion to amend Ordinance Z-569-12. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. The motion to amend Ordinance Z-569-12 was approved. Councilor Seidensticker made a motion to approve Ordinance Z-569-12 As Amended VERSION A – 11/27/12. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. **Ordinance Z-569-12 As Amended** was adopted 7-0.

## **PUBLIC HEARINGS**

There were none.

## **NEW BUSINESS**

Council President Sharp announced **Resolution CC-12-03-12-01**; A Resolution of the Common Council of the City of Carmel, Indiana, To Ratify and Approve the 2013 Scheduled Increase (*from \$1,526 to \$1,679*) in the Carmel Parks and Recreation Impact Fee. Councilor Seidensticker made a motion to move this item into business. Councilor Schleif seconded. There was brief Council discussion. Councilor Seidensticker referred to Adrienne Keeling, Department of Community Services, to address the Council. Councilor Seidensticker made a motion to approve Resolution CC-12-03-12-01. Councilor Schleif seconded. There was no Council discussion. Council President Sharp called for the vote. **Resolution CC-12-03-12-01** was adopted 7-0.

## **OTHER BUSINESS**

There was none.

## **ANNOUNCEMENTS**

Council President Sharp informed the Council that a Special Meeting would be noticed for Friday, December 21, 2012 at 8:30 a.m. for claims approval only.

## **EXECUTION OF DOCUMENT**

## **ADJOURNMENT**

Council President Sharp adjourned the meeting at 7:17 p.m.

Respectfully submitted,

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Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

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James Brainard, Mayor

## **ATTEST:**

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Diana L. Cordray, IAMC, Clerk-Treasurer